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Approved for use through 09/30/2000. QMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 10/017,527 **Application Number DECEMBER 13, 2001** TRANSMITTAL Filing Date **KEVIN P. BAKER FORM** First Named Inventor (to be used for all correspondence after initial filing) 1647 Group/Art Unit WEGERT, SANDRA L. **Examiner Name** 39780-2830 P1C63 Total Number of Pages in This Submission 109 Attorney Docket Number ENCLOSURES (check all that apply) After Allowance Communication to Copy of an Assignment Fee Transmittal Form Group Appeal Communication to Board of Fee Attached Drawing(s) Appeals and Interferences **Appeal Communication to Group** Licensing-related Papers Amendment/Response (Appeal Notice, Brief, Reply Brief) Petition Routing Slip (PTO/SB/69) After Final **Proprietary Information** and Accompanying Petition Version With Markings Showing Petition to Convert to a Status Letter Changes **Provisional Application** Power of Attorney, by Assignee to Affidavits/declaration(s) ADDITIONAL ENCLOSURE(S) Exclusion of Inventor Under 37 C.F.R. (PLEASE IDENTIFY BELOW): Extension of Time Request §3.71 With Revocation of Prior Powers **EVIDENCE APPENDIX ITEMS 1** Terminal Disclaimer Information Disclosure Statement THRU 6: AND STAMPED RETURN **POSTCARD** Small Entity Statement Certified Copy of Priority Document(s) Request for Refund Response to Missing Parts/ Incomplete Application Remarks Response to Missing Parts under 37 CFR AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39780-2830 1.52 or 1.53 P1C63. Copy of Notice SIGNATURE OF APPLICANT, ATTORNEY OR AGENT BARRIE D. GREENE (Reg. No. 46,740) **HELLER EHRMAN LLP** Firm or Facsimile: (650) 324-0638 275 Middlefield Road, Menlo Park, California 94025 Telephone: (650) 324-7000 Individual name Signature 35489 Customer Number: Date **AUGUST 25, 2005** CERTIFICATE OF EXPRESS MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: MAIL STOP APPEAL BRIEF - PATENTS, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: AUGUST 25, 2005 Express Mail Label EL 976 548 919 US Typed or printed name L. ACOSTA **AUGUST 25, 2005** Date

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PTO/SB/17 (12-04)
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FEE TRANSMITTAL for FY 2005

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

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| Co | omplete if Known |
| Application Number | 10/017,527 |
| Filing Date | DECEMBER 13, 2001 |
| First Named Inventor | KEVIN P. BAKER |
| Examiner Name | SANDRA L. WEGERT |
| Art Unit | 1647 |
| Attornov Docket No. | 39780-2830 P1C63 |

| METHOD OF PAYMENT (check all that apply) | | FEE CALCULATION (continued) | | | | | |
|---|---|-----------------------------|---------------------|-------------|-------------|--|--|
| Check Credit card Money Other None | | 3. ADDITIONAL FEES | | | | | |
| Deposit Account: | | | Entity - | | | | |
| Benesit | | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
| Account Number | 08-1641 (39780-2830P1C63) | 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| Deposit Account | HELLER EHRMAN, LLP | 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| Name The Director is authorized to: (check all that apply) | | 1053 | 130 | 1053 | | Non-English specification | |
| Charge fee(s) indicated below Credit any overpayments | | 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| Charge any additional fee(s) or any underpayment of fee(s) | | 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | · |
| Charge fee(s) indicated below, except for the filing fee | | 1805 | 1,840* | 1805 | 1,840* | | |
| to the above-identified deposit account. | | 1251 | 120 | 2251 | 60 | Extension for reply within first month | 120.00 |
| | FEE CALCULATION | 1252 | 450 | 2252 | 225 | Extension for reply within second month | |
| 1. BASIC FI Large Entity S | | 1253 | 1,020 | 2253 | 510 | Extension for reply within third month | |
| Fee Fee | Fee Fee Fee Description Fee Paid | 1254 | 1,590 | 2254 | 795 | Extension for reply within fourth month | |
| ` ' | Code (\$) 2001 150 Utility filing fee | 1255 | 2,160 | 2255 | 1,080 | Extension for reply within fifth month | |
| | 2002 100 Design filing fee | 1401 | 500 | 2401 | 250 | Notice of Appeal | |
| | 2003 100 Plant filing fee | 1402 | 500 | 2402 | 250 | Filing a brief in support of an appeal | 500.00 |
| | 2004 150 Reissue filing fee | 1403 | 1,000 | 2403 | 500 | Request for oral hearing | |
| I | 2005 100 Provisional filing fee | 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| | SUBTOTAL (1) (\$) | 1452 | 500 | 2452 | 250 | Petition to revive - unavoidable | |
| | | 1453 | 1,500 | 2453 | 750 | Petition to revive - unintentional | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | | 1501 | 1,400 | 2501 | 700 | Utility issue fee (or reissue) | |
| | Extra Claims below Fee Paid | 1502 | 800 | 2502 | 400 | Design issue fee | |
| Total Claims Independent | -20** = X = = | 1503 | 1,100 | 2503 | 550 | Plant issue fee | |
| Claims | -3" = L X = | 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| Multiple Deper | | 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | ļ |
| Large Entity Fee Fee | Small Entity Fee Fee Fee Description | 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | <u> </u> |
| Fee Fee Code (\$) | Code (\$) | 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | ĺ |
| 1202 50 | 2202 25 Claims in excess of 20 | 1809 | 790 | 2809 | 395 | Filing a submission after final rejection | |
| 1201 200 | 2201 100 Independent claims in excess of 3 | 4040 | 700 | | 205 | (37 CFR 1.129(a)) | |
| 1203 360 1204 200 | 2203 180 Multiple dependent claim, if not paid 2204 100 ** Reissue independent claims | 1810 | 790 | 2810 | 395 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1204 200 | over original patent | 1801 | 790 | 2801 | 395 | Request for Continued Examination (RCE) | |
| 1205 50 | 2205 25 ** Reissue claims in excess of 20 and over original patent | 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| | | | Other fee (specify) | | | | |
| SUBTOTAL (2) (\$) **or number previously paid, if greater; For Reissues, see above | | *Red | uced by | Basic | Filing F | ee Paid SUBTOTAL (3) (\$) | 320.00 |
| CURNITIED BY (Complete (if applicable)) | | | | | | | |

SUBMITTED BY

Name (Print/Type)

BARRIE D. GREENE

Registration No. (Attorney/Agent)

Signature

Registration No. (Attorney/Agent)

Ade,740

Telephone (650) 324-7000

Date

AUGUST 25, 2005

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.